

**Grant of Request for Extension of
Small Refinery Temporary Exemption
Under the Renewable Fuel Standards Program
For
Sinclair Casper Refining Company's
Sinclair Casper Refinery**

**Contains Information Claimed by
The Sinclair Companies
To be Confidential Business Information**

EPA received a petition from Sinclair Casper Refining Company (“SCRC” or “Sinclair”) dated August 1, 2016, for a one-year extension of the Renewable Fuel Standard (RFS) small refinery exemption for the Sinclair Casper Refinery (“SCR”) for SCR’s 2015 RFS obligations. EPA denied the petition in a decision issued October 19, 2016. SCR promptly challenged EPA’s denial in the United States Court of Appeals for the Tenth Circuit by filing a petition for review on December 15, 2016.¹ On December 14, 2017, the Court vacated the decision and remanded the matter to EPA for further proceedings consistent with the decision in *Sinclair Wyoming Refining Co. v. EPA*, 874 F.3d 1159 (10th Cir. 2017).² Upon reconsideration, EPA has now reached a different conclusion. For the reasons described herein, EPA is granting SCRC’s request for an extension of SCR’s RFS small refinery exemption for 2015.

Redacted Material Not Subject to Review Per Court’s 7/23/2020 Minute Order

¹ The deadline for obligated parties to demonstrate compliance with the 2015 annual standards was December 1, 2016.

² *Order on Unopposed Motion for Voluntary Remand and Vacatur, Sinclair Wy. Refining Co.; Sinclair Casper Refining Co. v. EPA*, No. 15-561, (10th Cir., Dec. 14, 2017).

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This decision is a final agency action for purposes of CAA section 307(b)(1). Pursuant to CAA section 307(b)(1), judicial review of this final agency action may be sought in the United States Court of Appeals for the appropriate circuit. This action is not a rulemaking and is not subject to the various statutory and other provisions applicable to a rulemaking.